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SENSITIVE
SIPDIS

STATE FOR VCI/CCA, EUR/RPM, EUR/PRA
JCS FOR J-5
OSD FOR ISA (PERENYI)
NSC FOR NILSSON, HAYDEN
EUCOM FOR J-5

E.O. 12958: N/A
TAGS: [PARM](#) [PREL](#) [KCFE](#) [OSCE](#)
SUBJECT: OPEN SKIES:MAY 18 PLENARY - RUSSIA REGRETS SEIZURE
OF LITHUANIA FILM

(SBU) Summary: In the Open Skies plenary on May 17, Lithuania noted the seizure of mission film by Moscow airport security personnel. In response, Russia said its authorities had "gone too far" and promised to do all it could to mitigate the incident. In a brief intervention, the U.S. underlined the importance of full compliance with the Treaty and expressed confidence that Russia and Lithuania would work out the issue on a bilateral basis. After the meeting, both parties expressed appreciation for the U.S. statement. Additionally, the dates June 7-9, 2010 in Vienna under U.S. Chairmanship were proposed for the Second Review Conference on the Open Skies Treaty. End Summary.

Lithuania Reports Russian Seizure of Images

(U) The second plenary session of the 49th Session of the Open Skies Consultative Commission (OSCC) met on May 17 under the chair of Bosnia and Herzegovina (Davidovic). Lithuania (Ziugzda) briefed the OSCC on Russian seizure of Open Skies images following a May 7 joint Russia-Belarus flight mission over Lithuania. He explained that on May 13, Lithuanian Open Skies inspectors monitored processing of the film from the mission at Russia's Kubinka film processing center and, per the treaty, obtained duplicates of the processed film.

(U) On May 14, while exiting the country via Sheremetjevo Airport in Moscow in the company of representatives from the Russian Nuclear Risk Reduction Center (RNRRC), the Lithuanian inspectors were detained, questioned, and searched by Russian airport security services. The Lithuanian representatives were compelled to surrender the mission film on the basis that the film "lacked documents authorizing its export" prior to boarding their flight.

(U) Ziugzda stated that the seizure of the film constituted a violation of the Treaty on Open Skies, per Article XII, Section II, paragraph 1 and Article IX, Section II, paragraph 6 and requested its return in due haste. He also noted that it will be impossible to establish the veracity of the imaging upon its return.

Russia Admits it Went "Too Far"

(SBU) Russia (Kozlov) expressed regret for the misunderstanding and affirmed that security at Moscow International Airport had indeed "gone too far" in seizing the film. He promised that Russia would pass the film to the Lithuanian embassy at Lithuania's convenience. Kozlov also noted that the Treaty in fact did not stipulate the method or timeline for the delivery of film duplicates and indicated that it might be helpful for the OSCE to consider a Draft Decision to clarify these procedures.

(SBU) The U.S. (Neighbour) briefly noted the need for all States Parties to fully follow the letter and spirit of the Treaty and expressed U.S. confidence that the issue would be swiftly resolved on a bilateral basis. After the meeting, both Lithuania (Kalibatas) and Russia (Kozlov) expressed their appreciation for the U.S. intervention and assistance.

Dates Proposed for the 2010 Review Conference

(U) The Chair (Davidovic) noted the distribution of a Draft Decision for the Second Review Conference on the Implementation of the Treaty on Open Skies (OSCC.DD/4/09). This proposes to convene the conference on June 7-9, 2010. As chair of the Review Conference, the U.S. (Neighbour) explained that the dates for the conference were proposed with an eye toward a number of OSCE and other key diplomatic

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events, such as the 2010 NPT Review Conference prepcom in Vienna. Assuming consensus, the June 15 OSCC plenary will adopt the decision fixing the June 2010 dates. The U.S. also said it continued to welcome input from States Parties planning the Open Skies Review Conference.

Meeting on Distribution of Active Quotas

(U) Germany (Ratzlaff) noted that the negotiation meeting for distribution of active quotas for the upcoming year was scheduled for October 8-9, 2009 in Vienna. Ratzloff indicated that Germany would forward detailed information on quota negotiations prior to the OSCE summer recess.
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